

Exhibit No. 3



DAPHNE E. BARBEE

ATTORNEY AT LAW

1188 BISHOP STREET, SUITE 1909, HONOLULU, HAWAII 96813
TELEPHONE (808) 533-0275

February 22, 2006

Mr. Thomas Helper
Assistant U. S. Attorney
PJKK Federal Building
300 Ala Moana Blvd. Rm.6-100
Honolulu, HI 96850

RE: Ware v. Hayakawa, et. al., Civ. No.04-00671 HG/LEK
Discovery dispute

Dear Mr. Helper:

The documents you provided us on Feb. 17, 2006 are incomplete and contain blacked out items which we are unable to read. Please provide us with un redacted non blacked out documents. Furthermore, the test results do not contain the tests which Mr. Ware passed. We need to know who prepared these results, who tested Mr. Ware, where the results are kept, and the objective criteria for grading the test and who trains the testers, and were they certified as testers.

We previously discussed reviewing the Investigation report concerning TSA Honolulu, which was recently completed regarding whistle blowing and other complaints by employees at your office. Please let me know when this can be accomplished.

We also are entitled to review the personnel records of TSA employees who were promoted over Mr. Ware. Let me know when I can review these records.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D Barbée'.

Daphne E. Barbée
Attorney at Law

cc: Mr. Ware